

ANALYST CHECKLIST PROVIDER AGREEMENT

Carrier: _____
 Contract Form Number: _____
 Date(s) of Review: _____

GENERAL REVIEW REQUIREMENTS

Topic	Subtopic	Reference	Specific Issues	Complies		
				Y	N	
Administrative Policies		RCW 48.43.505 WAC 284-43-320(4)	Health carriers shall notify providers and facilities of their responsibilities with respect to health carrier's applicable administrative policies and programs, including but not limited to: a. Payment terms b. Utilization review c. Quality assessment and improvement programs d. Credentialing e. Grievance procedures f. Data reporting requirements g. Confidentiality requirements and h. Any applicable federal or state requirements			Contract Pg. _____ Comments:
Audit Guidelines		WAC 284-43-324	The audit of medical records should only be contained to pertinent information of covered persons. a. Are claim audit provisions unfair and burdensome on provider? b. If the carrier grants itself the right to audit provider/facility billing records, then the provider/facility has the right to audit carrier denials of the hospital's claims.			Contract Pg. _____ Comments:
Authority to Review		RCW 48.43.055 RCW 48.44.070(1) RCW 48.46.243(3)(a) WAC 284-43-310(4) WAC 284-43-320 WAC 284-43-330(4)	1. Forms of contracts between disability carrier, health care service contractor or health maintenance organization and the contracted participating providers shall be filed with the insurance commissioner prior to use. 2. A Health carrier shall make its selection standards for participating providers and facilities available for review upon request by the commissioner 3. All individual provider and facility contracts shall be in writing and available for review upon request by the commissioner 4. Health carrier shall maintain provider and facility contracts at its principal place of business in the state, or carrier shall access to all contracts and provide copies to facilitate regulatory review			Contract Pg. _____ Comments:

			upon twenty days prior written notice from the commissioner. 5. Each health carrier shall file with the commissioner its procedures for review and adjudication of complaints initiated by health care providers.			
Clean Claims		WAC 284-43-321	Prompt payment of clean claims standard. a. 95% of monthly clean claims are paid within 30 days of receipt, and b. 95% of all claims are paid or denied within 60 days. c. 1% Interest per month must be paid on all non-denied and unpaid clean claims 61 days or older when carrier does not meet standards. d. Definition of clean claim is consistent with WAC language.			Contract Pg. _____ Comments:
Compensation Notification		WAC 284-43-320(4)	Participating providers and facilities must be given reasonable notice of not less than 60 days of changes that affect provider or facility compensation and that affect health care service delivery. a. Make sure the provisions for changing contract terms permit provider to terminate rather than serve under unacceptable terms.			Contract Pg. _____ Comments:
Conducting Business in Licensed Name		RCW 48.05.190 RCW 48.30.050 RCW 48.44.040 RCW 48.46.060 T 2000-06	Carriers conducting business in the State of Washington must do so under the name licensed. Provider Agreements filed with this office must clearly indicate the name of the health carrier and that it is ultimately responsible for conditions identified in the agreement with its providers.			Contract Pg. _____ Comments:
Contracting Outside Plan		RCW 48.43.085	May not have provisions that would constrain enrollees from freely contracting for services out side the plan on terms and conditions they choose.			Contract Pg. _____ Comments:
Contract Termination		WAC 284-43-320(7)	Health carrier and participating providers and facilities shall provide at least 60 days notice to each other before terminating the contract without cause. a. Carrier shall make good faith effort to notify covered persons who are patients within 15 days of receipt or issue of notice. b. This 15-day notice does no need to be in the contract but the contract cannot contain conflicting language.			Contract Pg. _____ Comments:
	<i>Continuity of Care</i>	RCW 48.43.515(7)	A health carrier must cover services of a PCP whose contract with the plan or whose contract with a subcontract is terminated without cause under the terms of that contract for at least sixty days following notice of termination to the enrollee.			Contract Pg. _____ Comments:
Enrollee Coverage Non-discrimination		WAC 284-43-320(8)	Health carrier is responsible for ensuring that participating providers and facilities furnish covered services to covered persons without regard to the covered person's enrollment in the plan as a private purchaser of the plan or as a participant in the publicly financed programs of health care services. a. No wording should differentiate care for subscriber who purchases privately vs. one on public program.			Contract Pg. _____ Comments:

Enrollee Eligibility Notification		RCW 48.43.525 WAC 284-43-320(1)	1. Has the Carrier established a way to provide timely eligibility and benefit information to providers? 2. Does the contract provide for rescinding authorization and refusing payment even where treatment was pre-authorized?		Contract Pg. _____ Comments:
Grievance Procedures		RCW 48.43.055 WAC 284-43-320(11) WAC 284-43-322 Godfrey v Hartford Casualty Insurance Co	1. Has the carrier filed its procedures for review and adjudication of complaints? 2. Every Contract shall contain procedures for the fair resolution of disputes arising out of the contract. 3. Dispute resolution process: a. Is there a formal process? b. Not less than 30 days to file a dispute. c. All likely disputes covered? d. Unfairly advantages carrier? e. Cannot exclude judicial remedies. f. Can not require Arbitration. g. Billing disputes resolved within 60 days? 4. Can the Provider proceed to nonbinding mediation whether carrier has granted or rejected request within 30 days?		Contract Pg. _____ Comments:
Hold Harmless & Insolvency		WAC 284-43-320(2)	Each contract shall include hold harmless and insolvency language as approved by the Commissioner: a. Hold harmless provision included? b. Provider agrees not to bill patient? c. Provider agrees to continue treatment? d. Provider agrees hold harmless requirement survives contract? e. Subcontractors of provider agree to hold harmless requirement? f. Contract can't modify rights under health plan?		Contract Pg. _____ Comments:
	<i>Liability of Participant</i>	RCW 48.44.020(4)(a) RCW 48.46.243(1)	1. Are all contracts in writing and state in the event of Carrier failure to pay for services the enrolled participating shall not be liable to the provider for sums owed by the Carrier? 2. Does the contract provide this requirement too survive termination of the contract?		Contract Pg. _____ Comments:
	<i>Payment Collection</i>	RCW 48.80.030(5) & (6) WAC 284-43-320(3)	Contracts shall inform providers/facilities that it is a class C felony to collect payment from enrollees in violation of provider contract		
Overpayment Recovery – Carrier		RCW 48.43.005(16) RCW 48.43.600 Title 18 RCW 70.127	1. Except in the case of fraud, a carrier may not request a refund from a health care provider of a payment previously made to satisfy a claim unless it does so in writing to the provider within 24 months after the date payment was made. 2. Carrier must request a refund from a health care provider of payment previously made to satisfy a claim within 30 months after the date payment was made. 3. Not applicable to subrogation claims.		Contract Pg. _____ Comments:

Overpayment Recovery – Provider		RCW 48.43.005(16) RCW 48.43.600 Title 18 RCW 70.127	1. Except in the case of fraud, a health care provider may not request payment from the carrier to satisfy a claim unless it does so in writing to the carrier within 24 months after the date the claim was denied or payment intended to satisfy the claim was made.		Contract Pg. _____ Comments:
Overpayment Recovery – Provider - Cont.-			2. Provider must request from the health carrier within 30 months after original payment was made for any additional balances owed. 3. Not applicable to subrogation claims.		Contract Pg. _____ Comments:
Provider/Patient Care		RCW 48.43.510(6) & (7)	Does any language in the contract in any way discourage providers from informing patients about care, discussing carrier merits, etc., as protected under the statute?		Contract Pg. _____ Comments:
Provider Manual (Should Not Be Incorporated in Agreement)		RCW 48.43.055 RCW 48.44.070(1) RCW 48.46.243(3)(a) WAC 284-43-310(4) WAC 284-43-320 WAC 284-43-330(4)	The provider agreement should be a complete document and not reference additional documents, administrative manuals, or procedures not contained in the provider agreement submitted for approval.		Contract Pg. _____ Comments:
Record Retention		WAC 284-43-320(6)	Health carrier shall require providers to make health records available to appropriate state and federal authorities involved in assessing the quality of care or investigating the grievances or complaints of covered persons subject to applicable state and federal laws related to confidentiality of medical or health records.		Contract Pg. _____ Comments:
Standard of Care		RCW 48.43.545	1. Carrier may not unfairly transfer liability. 2. Are Indemnity/liability clauses consistent with the responsibility/right to determine when treatment is medically necessary?		Contract Pg. _____ Comments:
Subcontractors		WAC 284-43-300	Has health carrier ensured that subcontract providers meet all requirements required of contracted providers?		Contract Pg. _____ Comments:
Subrogation Pay & Purse		WAC 284-51-100	1. Health carrier shall not unreasonably delay payment of a claim by reason of the application of a coordination of benefits provision. 2. Insurer shall establish a time limit after which payment should be made.		Contract Pg. _____ Comments:
Submission Requirements		RCW 48.44.070 RCW 48.46.243(3)(a) WAC 284-43-330(2)	A health carrier shall submit material changes to sample contract form to the OIC fifteen working days prior to use		Contract Pg. _____ Comments:
	<i>Extension Letter</i>	WAC 284-43-330(3)	If the commissioner takes no action within 15 working days after submission, the form is deemed approved, EXCEPT the OIC may extend the approval period an additional 15 working days giving notice before the expiration of the initial 15 days.		Contract Pg. _____ Comments:

Utilization Review		RCW 48.43.520 WAC 284-43-410	<ol style="list-style-type: none"> 1. Carrier cannot retrospectively deny coverage for nonemergency care for care that was preauthorized. 2. For retrospective review, base review determinations solely on the medical information available to the attending physician at time the health service was provided. 3. Retrospective review determinations must be completed within 30 days of receipt of the necessary information. 		Contract Pg. _____ Comments:
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